

(JP 376)

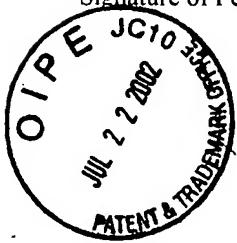
I hereby certify that this correspondence and the documents referred to as enclosed therein are being deposited with sufficient postage with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231.

Valinda K. Drumheller  
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Valinda K. Drumheller  
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July 9 2002  
Date

#4



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: David R. Diduch

Group Art Unit: 3761

Application No.: 10/084,283

Examiner: Not assigned

Filed: February 26, 2002

Docket No.: 11108.002

For: Superelastic Suture Passing Devices and Methods

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INFORMATION DISCLOSURE STATEMENT

Director of the U.S. Patent and Trademark Office  
Washington, D.C. 20231

Sir:

Pursuant to 37 CFR § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The paragraphs marked below are applicable.

1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date or the date of filing a CPA, OR (b) before the mailing date of a first Office Action on the merits in the present application. No certification or fee is required.

2. This Information Disclosure Statement is being filed with a Request for Continued Examination (RCE). No certification or fee is required.

3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, before the mailing date of a Final Rejection or Notice of Allowance.

a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

c. Please debit Deposit Account No. 50-1563 in the amount of \$240.00 in payment of the fee under 37 CFR §1.17(p) to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.

4. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. Please debit Deposit Account No. 50-1563 in the amount of \$130.00 in payment of the petition fee under 37 CFR §1.17(i)(1) to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.

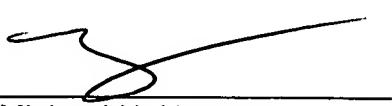
a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

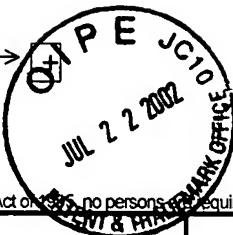
Respectfully submitted,

LECLAIR RYAN

Date: 9 July 2002

  
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PTO/SB/08A (08-00)

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**Substitute for form 1449A/PTO**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Substitute for form 1449A/PTO				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	10/084,283
				Filing Date	February 26, 2002
				First Named Inventor	David R. Diduch
				Group Art Unit	3761
				Examiner Name	
Sheet	1	of	2	Attorney Docket Number	11108.002

## U.S. PATENT DOCUMENTS

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**Complete if Known**

Application Number	10/084,283
Filing Date	February 26, 2002
First Named Inventor	David R. Diduch
Group Art Unit	3761
Examiner Name	
Attorney Docket Number	11108.002

## OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

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Examiner Signature		Date Considered	
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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